UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHRISTOPHER AMBERGER Plaintiff, vs. LEGACY CAPITAL CORPORATION, LEGACY BENEFITS, LLC, LEGACY BENEFITS CORPORATION and MILLS, POTOCZAK & COMPANY, Defendants.	Case No. 17-cv-532-NRB **FEDERAL RULE OF CIVIL PROCEDURE 26(f) JOINT DISCOVERY PLAN**

1. Date for completion of Rule 26(a) initial disclosures, if not yet exchanged: April 14, 2017, eleven days after the Initial Conference on April 3, 2017.

2. Total number of interrogatories, if more than 25, by: plaintiff(s) __NA___ and defendant(s) __NA___.

3. Maximum number of requests for admissions: ___35___.

4. Number of depositions by plaintiff(s) of: parties __All parties__ non-parties __5__.

5. Number of depositions by defendant(s) of: parties __All parties_ non-parties __5__.

6. Number of depositions exceeding 7 hours: parties __None___ non-parties __None__.

7. Will plaintiff seek leave to send a collective action notice? _x_ Under consideration

8. Will plaintiff(s) be moving for class certification under Rule 23? _x_ Under consideration

9. Deadline for seeking leave to amend pleadings: August 2, 2017, four months from Initial Conference.

10. Deadline for seeking leave to join new parties: August 2, 2017, four months from Initial Conference.

11. Number of contemplated additional parties to be joined: __TBD___ plaintiff(s) __TBD__ defendant(s).

12. Date for completion of factual discovery: December 3, 2017, eight months from Initial Conference.

13. Expert witnesses -- Plaintiff(s): No.: ___TBD___ Type(s): __TBD___

Defendant(s): No.: ___TBD___ Type(s): ___TBD___

14. Dates for other expert report(s): ___NA___

15. Deadline for completing expert discovery: March 3, 2018, three months from close of fact discovery.

16. Types of contemplated dispositive motions: Summary Judgment by defendants; motion for stay pending appeal and remand to California by plaintiff.

17. Is there a need to protect certain information from disclosure? __Y__ (Y, N). The underlying claims involve the sale of a life insurance policy. Certain of the insured's medical information will need to be protected from public disclosure.

18. Have counsel discussed and/or reached any agreements regarding electronic discovery? __Y__ (Y, N, n/a): If the parties determine that electronic discovery is necessary, the parties will enter into a separate agreement regarding the scope and form of such discovery.

19. Have counsel discussed and/or reached any agreements pursuant Rule 502(d) of the Federal Rules of Evidence _____No_____ or the need for any confidentiality order? _____No______(Y, N, n/a): If necessary, the parties will enter into a confidentiality order.

20. Other issues: There is an appeal pending in the Ninth Circuit seeking the issuance of a writ of mandate to negate the transfer order that moved this case from the Northern District of California to the Southern District of New York. That petition was filed with the Ninth Circuit Court of Appeals on February 22, 2017.

Respectfully submitted,

For Plaintiff:

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